

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

William C. Price, Jr.,) C/A No.: 0:13-cv-3541-RBH
)
)
Plaintiff,) ORDER
)
)
v.)
)
Carolyn W. Colvin, Acting Commissioner)
of Social Security,)
)
)
Defendant.)
)

On October 24, 2014, the plaintiff filed a motion for attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. Defendant filed a response on November 7, 2014, in which she indicates that the parties have agreed, through counsel, to an EAJA award of \$4,029.05 in attorney's fees and \$400.00 in costs, with costs to be paid from the Judgment Fund by the United States Department of the Treasury pursuant to 31 U.S.C. § 1304. The Commissioner further indicates that fees awarded should be paid to the prevailing party and not the attorney and would be subject to the Treasury Offset Program if the prevailing party owes a debt to the government.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$4,029.05 in attorney's fees pursuant to EAJA. However, the payment shall be made payable to the claimant pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010) and mailed to his attorney, with a copy to the claimant. Plaintiff shall also be paid \$400.00 in costs from the Judgment Fund by the United States Department of the Treasury pursuant to 31 U.S.C. § 1304.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

November 10, 2014
Florence, South Carolina